HUMAN RIGHTS WATCH

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EU: No ‘Business as Usual’ at Association Council with Israel

Condemn Atrocities, Impose Consequences at Foreign Ministers Meeting

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(Brussels) – European Union High Representative Kaja Kallas and EU foreign ministers should unequivocally condemn Israel’s atrocity crimes and other serious violations of international law during the EU-Israel Association Council meeting with Israeli Foreign Minister Gideon Sa’ar on February 24, 2025, Human Rights Watch said today.

Kaja Kallas, High Representative of the EU for Foreign Affairs and Security Policy, speaking in Brussels, Belgium, December 16, 2024.

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Kallas and EU foreign ministers should signal an end to the bloc’s reluctance to acknowledge and address Israel’s war crimes, crimes against humanity—including apartheid—and acts of genocide. They should make clear to Sa’ar that there will be consequences for past and ongoing abuses, including sanctions on officials responsible for ongoing abuses and suspending weapons sales. They should also announce a review of Israel’s compliance with its human rights obligations under the EU-Israel Association Agreement, following Spain and Ireland’s February 2024 request to suspend it over Israel’s grave abuses.

“There can be no business as usual with a government responsible for crimes against humanity, including apartheid, and acts of genocide, and whose sitting prime minister is wanted for atrocity crimes by the International Criminal Court,” said Claudio Francavilla, associate EU director at Human Rights Watch. “The only purpose of this Association Council meeting should be to call out those crimes and to announce long overdue measures in response.”

The Association Council is the EU’s highest-level bilateral meeting between Israel and the EU as a block, chaired by the EU high representative and Israel’s foreign minister, in the presence of EU member states’ foreign ministers or other dignitaries, and held under the framework of the EU-Israel Association Agreement. The last such meeting took place in October 2022, when it was resumed following a 10-year pause due to the Israeli government’s discontent with the EU’s position condemning Israeli settlements in the Occupied

Palestinian Territory, which are a violation of international humanitarian law.

In a letter addressed to EU and member states' leaders, 125 civil society organizations, including Human Rights Watch, urged the EU to focus its discussions with Sa'ar on the possible suspension of the agreement. Article 2 of the agreement sets human rights and democratic principles as "essential elements" of the treaty, the violation of which can lead to its suspension. The EU has never answered Spain and Ireland's request.

Human Rights Watch has documented grave abuses by Israeli authorities and forces during the hostilities in Gaza and in the region, including war crimes, ethnic cleansing, crimes against humanity, including extermination, and acts of genocide.

Gaza's healthcare system has nearly collapsed amid repeated Israeli strikes on hospitals and medical facilities and personnel, as well as the unlawful cutting of water, fuel, and electricity.

Israeli forces have also arbitrarily detained and tortured doctors and healthcare professionals from Gaza. Israeli attacks, decimation of the health care system, starvation, water deprivation, and repeated forced displacement have had a devastating impact on all of Gaza's population, and have been particularly acute for children with disabilities, older people, and pregnant women.

Israeli authorities also flouted three binding orders by the International Court of Justice (ICJ) to take steps to prevent genocide in a case brought by South Africa for Israel's alleged violation of the United Nations Genocide Convention.

As atrocities unfolded, the EU has been incapable of adopting any concrete measure to press Israeli authorities to halt them. EU statements, which need unanimous approval by the 27 EU governments, consistently fell short of even acknowledging and attributing any violations of international humanitarian law to Israeli authorities and forces.

Several EU foreign ministers also criticized the International Criminal Court (ICC) for issuing arrest warrants against Israel's Prime Minister Benjamin Netanyahu and former Defense Minister Yoav Gallant for atrocity crimes. Even though all EU states are parties to the ICC, some said they wouldn't enforce the warrants and even invited Netanyahu for a visit, in breach of their obligations under the ICC's Rome Statute. The EU has yet to explicitly denounce United States President Donald Trump's executive order targeting the court and to activate its "blocking statute" to mitigate the impact of US sanctions against the court.

The 27 EU governments, sharply divided on all matters pertaining to Israel and Palestine, have reached unanimity to approve two rounds of sanctions against Israeli settlers responsible for attacks and violence in the West Bank. But they fell short of sanctioning Israeli officials supporting and enabling the settlement enterprise, settler violence, and other grave abuses against Palestinians, including the crimes against humanity of apartheid and persecution.

The European Commission has also refrained from proposing any concrete measures to put pressure on Israeli

authorities. In a recent letter, 163 nongovernmental organizations and trade unions, including Human Rights Watch, urged the commission to ban trade and business with Israel's illegal settlements, as necessary to comply with the obligations laid out in the July 2024 ICJ ruling and to avoid complicity in abuses that are inextricably linked to the settlements.

EU states have continued to export arms to Israel despite a serious risk of complicity in war crimes and other violations of international humanitarian law. And, amid a longstanding smear campaign by Israeli authorities, the EU and its member states have repeatedly paused and in some cases fully stopped support for the UN Relief and Works Agency (UNRWA), which provides water, food, shelter, and other vital services to hundreds of thousands of Palestinian refugees in Gaza and across the region, and which the Israeli government has taken steps to dismantle.

"Europe's reluctance to condemn and address Israel's atrocity crimes has fueled them and given rise to well-grounded accusations of EU double standards," Francavilla said. "Unless the EU drastically changes course, it will provide a blank check for further abuses and continue to undermine the EU's stated commitment to human rights and the rules-based international order."

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